

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DANIEL RIVERA,

Civil No.: 16cv7552

Plaintiff,

Hon. Judge Katherine B. Forrest

-against-
HOME DEPOT U.S.A., INC.,

Defendant.

HOME DEPOT U.S.A., INC.,

Third-Party Plaintiff,

-against-

BRYAN'S HOME IMPROVEMENT CORP.,

Third-Party Defendant.

NOTICE OF MOTION

PLEASE TAKE NOTICE that on the ____ day of February 6, 2018, at ____ a.m. or as soon thereafter as counsel may be heard, attorneys for Plaintiff DANIEL RIVERA, shall move, before the Honorable Judge Katherine B. Forrest, U.S.D.J., United States Courthouse, Room ____, 500 Pearl Street, New York, New York, 10007, for the case 16-cv-7552, granting to Plaintiff partial summary judgment.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiffs shall rely upon the this Notice of Motion, Memorandum of Law in Support of Plaintiffs' Motion for Partial Summary Judgment, the Statement of Material Facts Not in Dispute and the Declaration of STEVEN PAYNE together with its Exhibits, submitted herewith.

PLEASE TAKE FURTHER NOTICE that counsel for Plaintiffs hereby request oral argument.

Dated:

New York, New York

January 5, 2018

/s/Steve R. Payne

**GINARTE GALLARDO GONZALEZ
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By: Steven R. Payne

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